

**From:** Ep Dagger  
**To:** Microsoft ATR  
**Date:** 1/23/02 8:27pm  
**Subject:** Microsoft Settlement

Paul Estep  
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23 January 2002

Judge Colleen Kollar-Kotelly  
United States District Court for the District of Columbia  
333 Constitution Avenue, NW Washington, DC 20001  
RE: US v. Microsoft proposed final order

Dear Judge Kollar-Kotelly,

I wish to make some comments on the proposed final judgment for USA versus Microsoft. I feel it does not provide enough open disclosure of Microsoft Windows and middleware APIs and File Formats, and also fails to provide any real penalty to Microsoft. I believe that requiring full public disclosure without any licensing terms of Microsoft Windows and middleware API and file formats would satisfy both of these concerns.

Disclosure of APIs and File Formats should be with the intent to allow all software developers, private, public, and hobbyist, to interface to and create alternative code for the APIs. This should not just include the syntax specifications of the APIs and File Formats but should include semantic information about them. In order to ensure proper disclosure this document should be released with all internal and external beta software releases. Internal beta releases should allow comments from an internal Microsoft panel and external beta releases should allow for public comment. Both comment periods should be within the time frame for submitting bug reports for the beta software.

I believe as punishment Microsoft should give up all intellectual property claims to these APIs and File formats. This would punish Microsoft by disallowing any revenues from licensing its intellectual property claims to these APIs and File Formats. Further I believe this form punishment is market neutral not taking or giving away market share to or from others.

Paul Estep